THE HON'BLE MR. JUSTICE V.V.S. RAO

FRIDAY, THE 23RD DAY OF DECEMBER, 2005

W.P.No. 27288 of 2005

Between:-

V. Raghu Mohan Reddy

--Petitioner

And

The Commissioner, Municipal Corporation of Hyderabad, Tank Bund, Hyderabad and three others.

--Respondents

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W.P.No. 27288 of 2005

:O R D E R:

The petitioner is a resident of Eden Bagh area in King Kothi of Hyderabad. He is the owner of premises house bearing No. 4-1-1/12/A, King Kothi, Eden Bagh Road, Hyderabad. His grievance is that the 4th respondent, who has a premises adjacent to the petitioner's house, is making construction over a drainage (Nala) contrary to the provisions of the Hyderabad Municipal Corporations Act, 1955 (for short 'the Act') and that in spite of the complaint by the petitioner on 05-12-2005, the respondent Nos. 1 to 3 did not take any action in the matter. Therefore, he seeks a direction to the Municipal Corporation to take action against the 4th respondent.

The matter was listed for admission on 22-12-2005. At the request of the learned standing counsel for the Municipal Corporation of Hyderabad, Mr. Ghanta Rama Rao, the matter was adjourned. Today, on instructions, he submits that the 4th respondent has constructed the house on the land ad-measuring sixteen (16) Square yards and while doing so, created a tank (Nala) presumably to drain out the water after washing the clothes. He also submits that the Municipal Corporation has already issued a notice and the same will be pursued in accordance with law.

In view of the submission made by the learned standing counsel for the Municipal Corporation, the writ petition is disposed of directing the Municipal Corporation of Hyderabad to take necessary action against the alleged illegal construction made by the 4th respondent, giving notice to him, if not already issued, within a period of eight (8) weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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V.V.S. RAO, J

23-12-2005

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Nb:- Registry is directed to furnish c.c. by Monday i.e., 26-12-2005

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